

ORDINANCE NO. 13-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicants have represented to the City of Huntsville that Richard and Elaine Hamner, a married couple, are the owners of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
)
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **Richard and Elaine Hamner**, a married couple, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 14, Block 12 of Briarwood Estates, Sixth Addition, as recorded in Plat Book 5, Page 31 in the Office of the Judge of Probate of Madison County, Alabama, particularly described as commencing at the southwesterly corner of said Lot 14. Said point also being on the northwesterly right of way margin of Bentley Street at the Southeasterly corner of Lot 13, Block 12 of said Briarwood Estates, Sixth Addition. Thence along the common boundary line between said Lots 13 and 14, North 43 Degrees 02 Minutes 12 Seconds West 104.55 Feet; Thence leaving said boundary line North 46 Degrees 57 Minutes 48 Seconds East 5.00 Feet to the Point of Beginning of the herein described parcel.

Thence from the Point of Beginning North 43 Degrees 02 Minutes 12 Seconds West, along a line parallel to and 5.00 Feet from, as measured at right angles to said boundary line between Lots 13 and 14, 63.64 Feet; Thence North 79 Degrees 58 Minutes 51 Seconds East, along a line parallel to and 5.00 Feet from, as measured at right angles to the boundary line between Lots 14 and Lot 16, Block 12 of said Briarwood Estates, Sixth Addition, 28.18 Feet; Thence across said Lot 14, South 16 Degrees 57 Minutes 38 Seconds East 53.76 Feet to the Point of Beginning.

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 8th day of August, 2013.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 8th day of
August, 2013.

Notary Public

THIS INSTRUMENT PREPARED BY:

Richard M. Hamner
2802 Bentley Street, SE
Huntsville AL 35801

Ordinance No. 13-_____ (Cont.)
Hamner, Richard and Elaine

ADOPTED this the 8th day of August, 2013.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 8th day of August, 2013.

Mayor of the City of
Huntsville, Alabama